

**FILED**

JAN 8 - 2008

~~PROPOSED~~ ORDER/COVER SHEETRICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLANDTO: Honorable Wayne D. Brazil  
U.S. Magistrate JudgeRE: GRABMAN, DALE PATRICKFROM: Claudette M. Silvera, Chief  
U.S. Pretrial Services OfficerDOCKET NO.: CR07-0811 MJJ

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

AMELIA BERTHELSEN

U.S. Pretrial Services Officer Assistant

510-637-3753

TELEPHONE NUMBER

RE: **MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)**

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- ☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- ☐ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.
- ☐ Inform all parties concerned that a Bail Review Hearing will be conducted by:  
Magistrate Judge \_\_\_\_\_ Presiding District Court Judge \_\_\_\_\_
- ☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:

**Modification(s)**

Seek/maintain employment condition removed from the defendant's bond.



The defendant is subject to a daily curfew as imposed by Pretrial Services.



The defendant shall be allowed to leave his approved residence for medical and legal purposes, and otherwise only to attend therapy sessions, support group meetings, and to obtain personal necessities (ie.: grocery/hygiene shopping).



Bail Revoked/Bench Warrant Issued.



I am returning the signed order and direct that a copy be provided to the Court file and all interested parties (AUSA and Defense Counsel).



Other Instructions:

Wayne D. Brazil  
JUDICIAL OFFICER1-8-08  
DATEcc: WDB's Staff Copy to parties via ECF  
Pretrial, Monica Marabese, Financial

**To:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**From:** Amelia A. Berthelsen  
Pretrial Services Officer Assistant

**Subject:** GRABMAN, PATRICK DALE  
CR07-0811 MJJ

**Date:** January 4, 2008



## MEMORANDUM

Your Honor,

Dale Patrick Grabman initially appeared before Your Honor on January 3, 2008, charged in an Indictment with a violation of Title 18, United States Code, Section 2252(a)(4)(B)- Possession of Child Pornography. On this same date, Mr. Grabman was released on a \$250,000 bond, with the following special conditions:

1. The defendant shall report to Pretrial Services as directed;
2. The defendant shall maintain current employment or if unemployed shall seek and maintain verifiable employment;
3. The defendant shall surrender his passport to his attorney on 1/3/08 (and his attorney shall surrender it to the Court as soon as possible) and not apply for any new passports or travel documents;
4. The defendant's travel is restricted to the Northern District of California;
5. The defendant shall not possess any firearms, destructive devices, or other dangerous weapons;
6. The defendant shall not change residence without prior approval from Pretrial Services;
7. The defendant shall refrain from any use of alcohol;
8. The defendant shall refrain from any use or unlawful possession of a narcotic drug and other controlled substances without a legal prescription;
9. The defendant shall submit to electronic monitoring. The defendant may leave home for the purpose of court appearances, employment, attorney visits, and as directed by Pretrial Services;
10. The defendant shall comply with a curfew to be set by Pretrial Services;
11. The defendant shall have no contact with any children(s)/minor(s) under the age of 21 without a parent or legal guardian present;
12. The defendant shall not use or have access to any computers or the internet; and
13. The defendant is not required to post property, but the defendant must file an "obligation."

Mr. Grabman was interviewed by U.S. Pretrial Services on January 3, 2008, in the presence of his attorney. During this interview, Mr. Grabman reported that he is retired, and that he receives a monthly income from a pension. The defendant further indicated that since he is retired he does not plan to obtain a job. However, he stated he would like to include a number of activities into his leave schedule: a math course at a community college; Al-Anon meetings (a support group) twice per week; a weekly appointment with his therapist; walks at his local park; and volunteer work at his local Humane Society. Pretrial Services explained that some of these activities may not be appropriate (especially walks in the park, and volunteer work at the

MEMORANDUM FOR THE HONORABLE WAYNE D. BRAZIL  
U.S. MAGISTRATE JUDGE  
RE: Grabman, Dale Patrick

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Humane Society, both which are hard to verify and could include contact with minors).

Given that the defendant has a minimal criminal history, Pretrial Services believes that the defendant could attend a community college course, Al-Anon meetings, and appointments with his therapist. However, Pretrial Services would also like more direction from Your Honor regarding which activities the defendant should be allowed to attend. Is it Your Honor's preference that a general daily curfew be imposed or that the defendant be allowed time away from his approved residence only to attend specific activities such as therapy appointments and support group meetings? Furthermore, given the defendant's retired status, Pretrial Services recommends that the condition of requiring the defendant to seek or maintain employment be removed from the bond.

Both  
WDB

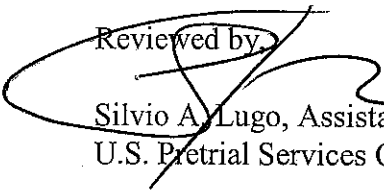
This memorandum is submitted for Your Honor's information and direction,

Respectfully submitted,



Amelia A. Berthelsen  
U.S. Pretrial Officer Assistant

Reviewed by:



Silvio A. Lugo, Assistant Deputy Chief  
U.S. Pretrial Services Officer

CC: Defense attorney Jamil Karwash  
Assistant United States Attorney Wade Rhyne